

### **I. Amendments to the Claims**

The listing of claims below will replace all prior versions and listings of claims in the application.

The invention claimed is:

1-11. Cancelled

12. (Currently Amended) A refractive ophthalmic treatment method to facilitate an increased functional optical zone with a customized transition zone pattern of continuous curvature, where the corrective properties of the transition zone are included in the ablation zone pattern design, said method comprising:

receiving pre-operative data concerning a cornea on which ~~thea~~ refractive ophthalmic treatment will be performed;

subtracting ~~athe~~ the programmed optical zone correction from corneal measurements provided in the pre-operative data to provide ~~athe~~ the predicted location of ~~athe~~ post-operative optical zone edge;

calculating ~~athe~~ the predicted curvature of the cornea at and/or near the edge of the optical zone, near the edge of the optical zone, or combinations thereof after application of the programmed optical zone correction;

calculating ~~based, at least in part, on the pre-operative data received and the predicted curvature at the edge,~~ a customized transition zone pattern which addresses curvature discontinuity by eliminating its occurrence in ~~and/or near the programmed optical zone,~~ near the programmed optical zone, or combinations thereof,

wherein said calculation is based, at least in part, on the pre-operative data received and the predicted curvature of the cornea, and

wherein said calculation involves use of a curve fitting algorithm to generate a transition zone with a continuous second derivative along a profile of the cornea outwardly from the programmed optical zone correction; and

applying the ~~customized~~calculated transition zone pattern to a ~~designed~~the ablation zone pattern to provide an updated ablation zone pattern,

wherein corrective properties of the continuously curved transition zone pattern are included in the updated pattern to facilitate an increased functional optical zone; and

performing an ablation on the cornea based on the updated ablation zone pattern.

13. (Original) The method of claim 12 wherein said pre-operative data, in part, is used to determine a programmed optical zone correction used in the ablation zone pattern.

14. (Original) The method of claim 12 wherein said pre-operative data includes, at least one of topographic data, pachymetric data, elevation data, corneal thickness data, corneal curvature data, wave-front data, and intraocular pressure data, where such data is associated with the cornea before and/or after perturbation.

15. (Original) The method of claim 14 wherein said perturbation comprises one of a corneal incision, a corneal ablation, a LASIK flap cut, an ultrasonic measurement, and peeling the epithelial layer from the cornea.

16. (Cancelled)

17. (Currently Amended) The method of claim ~~12~~16 wherein said curve fitting is selected from the group comprising one of spline fitting, arc-step fitting, least-squares fitting, and non-linear least squares fitting.

18. (Original) The method of claim 12 further comprises receiving post-perturbation data which includes, at least one of topographic data, pachymetric data, elevation data, corneal thickness data, corneal curvature data, wave-front data, and intraocular pressure data, where such data is associated with the cornea after perturbation.

19. (Original) The method of claim 18 wherein said perturbation comprises one of a corneal incision, a corneal ablation, a LASIK flap cut, an ultrasonic measurement, and peeling the epithelial layer from the cornea.

20. (Original) The method of claim 12 further comprises taking corneal measurements, which are taken by methods including, but not limited to, corneal topography, optical coherence tomography, ultrasound, refraction, and/or wave-front analysis.